

**EXHIBIT 8**

NOV. 26. 2002

2:22PM

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 01-10981- RBC

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

WALTER P. HUGHES

Plaintiff,

THOMAS F. MCMENAMON, JR.)

Civil Docket No. 01-10981-RBC

and

AMERICA ONLINE, INC.

Defendants.

DOCKETED

PLAINTIFF'S RULE 60(b)(3) MOTION TO SET ASIDE JUDGMENT  
ORDERED ON DEFENDANT AMERICA ONLINE, INC.'S MOTION  
FOR SUMMARY JUDGMENT ON THE FORUM SELECTION  
CLAUSE (#47) DATED MAY 28, 2002

Plaintiff, pro se, moves pursuant to Fed. R. Civ. P. 60(b)(3) that this Court set aside Judgment ordered on Defendant America Online Inc.'s Motion for Summary Judgment on the Forum Selection Clause (#47) dated May 28, 2002 because, for reasons stated in the attached Memorandum, Defendant America Online Inc., through its attorney committed fraud upon the court.

November 6, 2002

Walter P. Hughes  
Plaintiff pro se

56

DENIED

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